

REMARKS

18 Claims 1-40 are pending in the above-captioned patent application after this
amendment. Claims 30-40 have been allowed. Claims 1-12, 15-26 and 29 have
20 been rejected. Claims 13, 14, 27 and 28 were objected to. The applicants
respectfully traverse the rejections of the claims. Reconsideration of the pending
22 application is respectfully requested.

24 Rejections Under 35 U.S.C. §102(b)

26 Claims 1, and 9-12 were rejected under 35 U.S.C. §102(b) as being
anticipated by Fujisawa, JP 58156235, ("Fujisawa"). The Applicants respectfully
submit that claims 1, and 9-12 are patentable over the cited reference.

28 The Applicants provide that Fujisawa is directed to a human powered, power
supply device that includes a circuit that rectifies and places a fixed limit on the
30 maximum voltage that can appear across a large output capacitor during charging.
The circuit includes a plurality of Zener diodes that set the peak value directed to the
32 capacitor. These Zener diodes are not adjustable and they are used to prevent an
excess voltage from being applied to the capacitor. The circuit does not actively
34 adjust or modulate the voltage that is applied to the capacitor. See translation of
Fujisawa.

36 In contrast to Fujisawa, claim 1 is directed to a "portable power source ...
comprising: a housing; a stator component coupled to the housing; a rotor
38 component that is moved relative to the stator component by the user to generate
electrical energy; and a control system that receives the electrical energy and
40 electronically controls the level of an output electrical energy to the object."

42 Because Fujisawa does not disclose all of the elements of claim 1, the §
102(b) rejection is unsupported by the art and should be withdrawn. Because
claims 9-12 depend either directly or indirectly upon claim 1, the § 102(b) rejection
44 of these claims is also unsupported by the art and should be withdrawn.

46 Claims 1-8, 12, 19-26, and 29 were rejected under 35 U.S.C. §102(b) as
being anticipated by Baylis, U.S. Patent No. 5,917,310, ("Baylis"). The Applicants
respectfully submit that claims 1-8, 12, 19-26, and 29 are patentable over the cited
48 reference.

50 The Applicants provide that Baylis is directed to a human powered generator
50 that includes a spring, a generator connected to the spring, and a control circuit that
is connected to the output of the generator. Initially, the spring is wound by the user
52 to store mechanical energy that can be used to rotate the generator. Subsequently,
the control circuit limits the maximum speed at which the spring can uncoil. (Column
54 2, line 55- column 4, line 3). Moreover, the electrical energy initially generated in
the Baylis device is not diverted to provide power to the control system.

56 In contrast to Baylis, claim 1 is directed to a "portable power source ...
comprising: a housing; a stator component coupled to the housing; a rotor
58 component that is moved relative to the stator component by the user to generate
electrical energy; and a control system that receives the electrical energy and
60 electronically controls the level of an output electrical energy to the object."

Because Baylis does not disclose all of the elements of claim 1, the §
62 102(b) rejection is unsupported by the art and should be withdrawn. Because
claims 2-8, and 12 depend either directly or indirectly upon claim 1, the § 102(b)
64 rejection of these claims is also unsupported by the art and should be withdrawn.

In contrast to Baylis, claim 19 is directed to a "portable power source ...
comprising: a housing; a stator component coupled to the housing; a rotor
66 component that is moved relative to the stator component by the user to generate
electrical energy; a control system that receives the electrical energy, wherein the
68 electrical energy generated by the initial movement of the rotor component relative
70 to the stator component is diverted to provide power to the control system."

Because Baylis does not disclose all of the elements of claim 19, the §
72 102(b) rejection is unsupported by the art and should be withdrawn. Because
claims 20-26, and 29 depend either directly or indirectly upon claim 19, the §
74 102(b) rejection of these claims is also unsupported by the art and should be
withdrawn.

76 Claims 1, 3, 15, and 16 were rejected under 35 U.S.C. §102(b) as being
anticipated by Sony Corp., JP 2000287499, ("Sony Corp."). The Applicants
78 respectfully submit that claims 1, 3, 15, and 16 are patentable over the cited
reference.

80 The Applicants provide that Sony Corp. is directed to a manual generator that

includes a handle, a Rota section, a clutch device that attaches the handle to the
82 Rota section, and a control circuit. If the rotational input of the handle is too much,
the clutch device will slip and excess manual input will be suppressed. The control
84 circuit utilizes a current bypass circuit that slowly starts to short circuit the generator
output to limit the voltage produced by the generator. This short circuit wastes the
86 input energy and merely increases the user's load.

In contrast to Sony Corp., claim 1 is directed to a "portable power source ...
88 comprising: a housing; a stator component coupled to the housing; a rotor
component that is moved relative to the stator component by the user to generate
90 electrical energy; and a control system that receives the electrical energy and
electronically controls the level of an output electrical energy to the object."

92 Because Sony Corp. does not disclose all of the elements of claim 1, the §
102(b) rejection is unsupported by the art and should be withdrawn. Because
94 claims 3, 15, and 16 depend either directly or indirectly upon claim 1, the § 102(b)
rejection of these claims is also unsupported by the art and should be withdrawn.

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Rejections Under 35 U.S.C. §103(a)

98 Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over
Sony Corp. in view of Taylor, U.S. 5,496,238. Further, Claim 18 was rejected under
100 35 U.S.C. §103(a) as being unpatentable over Sony Corp. The Applicants
respectfully disagree with and traverse the rejections of claims 17 and 18 under 35
102 U.S.C. §103(a).

As provided above, the rejection of claim 1 is unsupported by the art and
104 should be withdrawn. Therefore, claim 1 negates a prima facie showing of
obviousness with respect to the cited references. Accordingly, the rejection of
106 claims 17 and 18, which depend either directly or indirectly from claim 1, is also
unsupported by the art and should also be withdrawn.

Double Patenting

Claims 2 and 3 are provisionally rejected under the judicially created doctrine of double patenting over claim 3 of copending Application No. 10/226,373. The Applicants agree to file a terminal disclaimer upon the confirmation that claims 2 and 3 are patentable over the cited references.

Conclusion

In conclusion, the Applicants respectfully assert that claims 1-40 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

Dated this the ____th day of September, 2004.

Respectfully submitted,

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